

REMARKS

Claims 1-51 were presented for examination and were pending in this application. In an Office Action dated March 24, 2004, claim 32 was allowed, and claims 1-31 and 33-51 were rejected. In this amendment, Applicant has amended independent claims 1, 10, 19, 24, 29, 33-34, 36, 38-42, and 51 and added new claim 52. In the present Office Action, Examiner rejected all the claims as being unpatentable over US Patent 5,781,458 to Gilley in combination with other patents under 35 U.S.C. § 103(a). Applicant respectfully traverse these rejections.

The amendments and new claim presented herein are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended to expedite the prosecution of the application in a manner consistent with the Patent Office Business Goals, 65 Fed. Reg. 54603 (Sept. 8, 2000). In making these amendments, Applicant has not and does not narrow the scope of the protection to which Applicant considers the claimed invention to be entitled and do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicant reserves the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

In a telephonic interview on July 14, 2004, Applicant's representative Colleen Chien, Examiner Jason Perilla, and supervising Examiner Steven Chin discussed rejection of the claims based on Gilley. Applicant thanks Examiners for scheduling this interview. During the interview, Examiners and Applicant's representative discussed differences between Gilley and the claimed invention. During the interview phone and in a subsequent telephone confirmation, the parties agreed that the claimed feature of "a transmitter circuit for

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transmitting information and configured to repeatedly generate a same random identifier code" was not disclosed or suggested in Gilley or other cited prior art. Claim 1, as well as the other independent claims have been amended to recite this element or reflect the spirit of this element therewith. Hence, for at least this reason, the independent claims are distinguishable over the cited references.

In addition, claim 52 has been added in accordance with discussions subsequent to the interview with Examiner Perilla. Moreover, Applicant submits that claims 10 and 51 have been properly broadened in view of the cited art by removing the limitations of "and receiving" and "and receive," respectively.

Based on the above Amendment and Remarks, Applicant respectfully submits that the pending claims as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicant requests reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicant respectfully invites Examiner to contact Applicant's representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
PIERRE H. CHÉNES

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By: Colleen Chien

Colleen Chien, Attorney of Record
Registration No. 55,062
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: 415-876-2319
Fax: (650) 938-5200
E-Mail: cchien@fenwick.com